

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52676 of 2025

Arising Out of PS. Case No.-992 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

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Deepak Kumar Gupta son of Sunil Gupta @ Sunil Kumar Gupta Resident of
Madhopur P.S -Barauli, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2025 Heard Mr. Vyas Kumar Mishra, learned counsel for

the petitioner and Mr. Ashok Kumar Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Gopalganj Town P.S. Case No. 992 of 2022,
F.I.R. dated 03.12.2022 for the offences punishable under
Sections 147, 148, 149, 341, 448, 323, 379, 327, 504, 506 and
354 of the Indian Penal Code.

3. According to prosecution case, on 03.12.2022 at
about 11:30 A.M., four named accused persons along with 35–
40 unknown persons, armed with firearms and other weapons,
forcibly entered the house of the informant after breaking the
gate lock. They assaulted the informant by dragging her on the



road, assaulted her three daughters-in-law and tenants, looted ornaments worth Rs. 5,00,000/- and cash of Rs. 50,000/-, attempted to dispossess the informant's family from the house and tried to outrage the modesty of the women at gunpoint. On arrival of the police, the accused persons fled away and the injured were taken to hospital for treatment.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and it appears from the F.I.R. that the allegation against the petitioner and other named accused persons with the unknown 35-40 persons which suggests that there is no specific allegation against the petitioner in the F.I.R. and present case is counter blast of the Gopalganj Town P.S. Case No. 603 of 2022 which was filed by the petitioner against the informant and apart from that, a case is pending before the Revenue Authority vide Mutation Appeal No. 32A/2021-22 and the order passed by the Circle Officer has been set aside by the authority concerned and it appears from the F.I.R. that specific allegation of assault against the co-accused person, namely, Ganagadayal Prasad and there is no specific allegation of assault or overt act against the petitioner.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the



petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation of assault or over act against the petitioner, present case is counter blast of Gopalganj Town P.S. Case No. 603 of 2022 and one Mutation case is pending between the parties, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj P.S. Case No. 992 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure /Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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